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IN THE HIGH COURT OF JUDICATURE OF CHHATTISGARH
AT BILASPUR

W.P.No.2476 OF 2001

WRIT PETITION UNDER ARTICLES 226/227 OF
THE CONSTITUTION OF INDIA

**Petitioner** : Mohammed Israel
aged about 65 years
S/o. Late Shri Abdul Samad
Resident of Qr.No.12-B
Street No.21, Sector-1,
Bhilai Distt. Durg (C.G.).

O.R. No. 2478 Shri H.P. Kelan
dated 24/11/01

Versus

**Respondents** : 1. State of Chhattisgarh
Acting through - Secretary
Revenue Department
Government of Chhattisgarh
DKS Bhavan, Raipur (C.G.).

2. Collector
District Durg (C.G.).

3. Nazul Officer
District Durg (C.G.)

4. Tahsildar (Nazul)
District Dugg (C.G.).

WRIT PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRIT, DIRECTION AND/OR ORDER

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

209

# आदेश पत्रक

मामला क्रमांक W.P No.2476/ सन् 200 |

विरुद्ध

| आदेश का दिनांक आदेश क्रमांक सहित | आदेश हस्ताक्षर सहित | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
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**13.03.2002**

Heard Shri K.A.Ansari, learned counsel for the petitioner and Shri Gautam Bhaduri, learned Govt. Advocate for the respondents / State.

The petitioner has in this petition sought for issue of a writ in the nature of mandamus directing the respondents to restore possession of nazul lands mentioned in the petition by cancelling the lease of the persons to whom illegal patta has been granted and directed the respondents to immediately grant patta of another land to the petitioner for restarting the business of cycle and rickshaw shop.

The petitioner has stated in para 3.3 of the petition that the civil litigation filed by the petitioner is likely to take some time and therefore the petitioner submitted applications / representations to the various authorities for grant of patta at a suitable place as the petitioner and his family having been deprived of their means of livelihood because of the forcible dispossession were being led to starvation. The applications / representations having evoked no response the petitioner submitted complaints to other authorities and statutory bodies namely, M.P. Minorities Commission and

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

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# आदेश पत्रक

मामला क्रमांक W.P. No. 2476/ सन् 2001

विरुद्ध

| आदेश का दिनांक आदेश क्रमांक सहित | आदेश हस्ताक्षर सहित -2- | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
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Human Rights Commission as also to the Ministers of the Govt. of Madhya Pradesh. Though the complaints were sent to the respondents for necessary action, no plot has been allotted to the petitioner to restart the business, hence this petition.

Learned counsel for the petitioner submitted that the petitioner has filed application / representation to the Collector, Durg and the same is pending. The Collector has not passed any order till today.

Having regard to the facts and circumstances of the case, I am of the opinion that it is appropriate to direct the Collector, Durg to consider the representation / application filed by the petitioner, if any, and dispose of the same within one month from the date of receipt of the copy of this order. If the representation / application is not filed before him the liberty is reserved to the petitioner to file the same before the Collector and direct the Collector to dispose of the same.

Accordingly, the petition is disposed of. The Collector, Durg is directed to consider the representation / application filed by the petitioner, if any, and dispose of the same within one month from the date of receipt of the copy of this order. If the application /

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XI-HC-22

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# आदेश पत्रक

मामला क्रमांक W.P.No.2476 सन् 200 (

विरुद्ध

| आदेश का दिनांक आदेश क्रमांक सहित | आदेश हस्ताक्षर सहित -3- | कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश |
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| | representation filed by the petitioner is not found, the petitioner is permitted to file the same within one month from today and the Collector is directed to dispose of the same within one month from the date of filing of the application / representation by the petitioner.<br>Ordered accordingly.<br>Parties are entitled for certified copy of this order.<br>Sd/-<br>Chief Justice | |

Subbu/Soma